

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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TROY BROOKS, et al.,

Plaintiffs,

07-CV-0497S(Sr)

v.

DAVID F. NAPOLI, et al.,

Defendants.

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**DECISION AND ORDER**

In accordance with 28 U.S.C. § 636(c), the parties have consented to have the undersigned conduct all further proceedings in this case, including entry of final judgment. Dkt. #50.

Currently before the Court is plaintiffs' motion to compel defendants to comply with the Court's Scheduling Order directing them to provide initial disclosures as set forth in Fed. R. Civ. P. 26. Dkt. #65. This motion is denied based upon defendants' production, pursuant to Rule 26, of 65 pages of documents. Dkt. #19.

The Court notes that plaintiffs have served discovery demands upon defendants and defendants have responded to those demands. Dkt. ##62 & 67. To the extent that plaintiffs are not satisfied with defendants' responses, they may file a motion to compel setting forth their specific objection to the defendants' response to a particular demand. Any such motion shall be filed within **30 days** of the entry of this Decision and Order.

Furthermore, in recognition of the Court's Decision and Order permitting plaintiffs to add an additional defendant and two additional factual allegations, the Court will extend the discovery deadline as follows:

1. Plaintiff Medina may submit additional discovery demands to defendants, limited solely to the claims that on December 11, 2007, correction officer Gilbert denied Medina his lunch meal (Dkt. #62-2, ¶ 30); and that on February 16, 2005, plaintiff Medina was attacked and beaten by defendants E. Delaney, D. Diehr, P. Jayne and Sergeant Hannah and other correction officers" (Dkt. #62-2, ¶ 36);
2. Defendants may depose plaintiff Medina with respect to the allegations set forth above;
3. Discovery shall be completed by **December 11, 2009**; and
4. Dispositive motions shall be filed by **February 12, 2010**.

**SO ORDERED.**

DATED: Buffalo, New York  
September 15, 2009

s/ H. Kenneth Schroeder, Jr.  
**H. KENNETH SCHROEDER, JR.**  
**United States Magistrate Judge**